

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGES 1 8	
2. AMENDMENT/MODIFICATION NO. 0001				3. EFFECTIVE DATE 20 JUL 01		4. REQUISITION/PURCHASE REG. NO.	
6. ISSUED BY CODE CONTRACTING OFFICER NAVSURFWARCENDIV 300 HWY 361 CRANE IN 47522-5001 BUYER/SYMBOL: MARLENE SIDDON/1165ZS PHONE: 812 854-3856 FAX: 812 854-5066				7. ADMINISTERED BY (if other than Item 6) CODE		5. PROJ NO. (if applicable)	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, State and ZIP Code)						9A. AMENDMENT OF SOLICITATION NO. N00164-01-R-0117	
						X 9B. DATED (SEE ITEM 11) 10 JULY 01	
						10A. MODIFICATION OF CONTRACT/ ORDER NO.	
						10B. DATED (SEE ITEM 13)	
TIN NO.							
CAGE CODE				FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [X] is extended, [] is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS AND CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority.)							
E. IMPORTANT: Contractor () is not, () is required to sign this document and return ____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organization by UCF section headings, including solicitation/contract subject matter where feasible.) This amendment is issued to incorporate changes to SECTION "B", correct clerical errors on Drawing Number(s) 53711-7343940 & 53711-734450, change language in SOW section 3.2.5.3, add customary Progress Payments, incorporate a change to the price proposal evaluation methodology for LOT(S) I & II, and extend the closing date of the solicitation. All other terms and conditions remain unchanged.							
The closing time and date is hereby extended FROM: 2:00 PM EST local time 10 AUGUST 2001 TO: 2:00 PM EST local time 22 AUGUST 2001							
Except as provided herein, all terms and conditions referenced in Item 9A and 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY		16C. DATE SIGNED	
(Signature of person authorized to sign)				(Signature of Contracting Officer)			

1. SECTION "B" is replaced in its entirety with the following:

SECTION "B" SUPPLIES					
<u>CLIN</u>	<u>DESCRIPTION OF SUPPLIES</u>	<u>QTY</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
LOT I					
0001	FIRST ARTICLE UNITS Shipboard Automatic Chemical Agent Detector and Alarm (ACADA) systems manufactured in accordance with (IAW) Product Specification PS/01/8855/002, NAVSEA Drawing 53711-7344570, Technical Manual SW073-AF-MMO -010/MK 27 MOD 0, and Statement of Work (SOW) found in SECTION "C" herein.	3	EA	\$	\$
0002	Shipboard ACADA Systems Production Units, same CLIN 0001 and as delineated in SOW Paragraph 3.2.5.1 herein				

CONTRACT MINIMUM QUANTITY 362 EA
CONTRACT MAXIMUM QUANTITY 1000 EA

Stepladder pricing is required as follows for the production units. Offerors are encouraged to provide alternate stepladder pricing in order to maximize discounting due to quantity breaks.

Shipboard ACADA Production YEAR 1 Price Each Units, same as CLIN 0002.		YEAR 2 Price Each	YEAR 3 Price Each	
Order Quantity 1-49 each	\$	\$		\$
Order Quantity 50-150	\$	\$		\$
Order Quantity 151-300	\$	\$		\$
Order Quantity 301-400	\$	\$		\$
Order Quantity 401-600	\$	\$		\$
Order Quantity 601-700	\$	\$		\$
0003	PROVISION ITEM ORDER FOR SHIP ACADA *Quantities and Prices to be established prior to Any order for this CLIN. Estimated maximum amount is Not to exceed \$950,000.00	TBD TBD	TBD	TBD
0004	DATA IAW DD1423 is section “J”.	1 LO	NSP	NSP

LOT II

0001 Shipboard Automatic Chemical Agent Detector and Alarm (ACADA) systems manufactured in accordance with (IAW) Product Specification PS/01/8855/002, NAVSEA Drawing 53711-7344570, Technical Manual SW073-AF-MMO Shipboard ACADA Systems Production Units, and as delineated in Statement of Work Paragraph 3.2.5.1 herein

CONTRACT MINIMUM QUANTITY 362 EA
CONTRACT MAXIMUM QUANTITY 1000 EA

Stepladder pricing is required as follows for the production units. Offerors are encouraged to provide alternate stepladder pricing in order to maximize discounting due to quantity breaks.

Shipboard ACADA Production YEAR 1 Price Each YEAR 2 Price Each YEAR 3 Price Each
Units, same as CLIN 0001.

Order Quantity 1-49 each	\$	\$	\$
Order Quantity 50-150	\$	\$	\$
Order Quantity 151-300	\$	\$	\$
Order Quantity 301-400	\$	\$	\$
Order Quantity 401-600	\$	\$	\$
Order Quantity 601-700	\$	\$	\$

0002	PROVISION ITEM ORDER FOR SHIP ACADA *Quantities and Prices to be established prior to any order for this CLIN. Estimated maximum amount is Not to exceed \$950,000.00	TBD	TBD	TBD	TBD
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0003	DATA IAW DD1423 is section "J".	1 LO	NSP	NSP
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- For stair step pricing the quantity pricing is the total quantity for all orders issued on a given day.
- NOTE FOR ALL LINE ITEM PRICING IDENTIFIED BY YEAR:

YEAR ONE pricing is effective on the effective date of contract and for 365 days thereafter.

YEAR TWO pricing is effective on the first anniversary date of the effective date of contract and for 365 days thereafter.

YEAR THREE pricing is effective on the second anniversary date of the effective date of contract and for 365 days thereafter.

- If cumulative price is applicable so indicate

SECTION "B" NOTES:

SECTION "K" herein will be incorporated by reference and made a material part of any resultant contract in accordance with FAR 15.406-1(b).

2. SECTION "C"

STATEMENT OF WORK (SOW)

SECTION 3.1 General.

CHANGES TO NAVSEA DRAWING 53711-7344570 referenced in paragraph 3.1, provided in CD format:

- **DRAWING NUMBER: 53711-7343940, Power Supply Assembly,**
Parts list Find No. 1 is hereby changed from 53711-7243941 to 53711-7343941. This correction will be updated in the next drawing revision.
- **DRAWING NUMBER: 53711-734450, Automatic Chemical Agent Detector Alarm (ACADA),**
Parts list Find No. 2 is hereby changed from 53711-7243940 to 53711-7343940. This correction will be updated in the next drawing revision.

SECTION 3.2.5.3 CONTAINERS. 3.2.5.3 Containers. CHANGE TO: Single Unit containers shall be of the reusable type similar to P/N D614-2281(USN) vendor CAGE CODE U3092, or similar container approved by NSWC Crane, Code 805D, to facilitate storage on-board ship and for return of repairable items to a depot for maintenance. The Shipboard ACADA and accessories shall be packaged in the single unit container containing items listed in 3.2.5.1, except for the spare Battery Box assembly, which will be unit packaged and included with the Shipboard ACADA system in the single exterior container.

3. SECTION "I"

ADD THE FOLLOWING:

Progress Payments (FAR52.232-16) (Mar 2000)—Alternate I
DoD Progress Payments Rates (DFARS 252.232-7004)(Feb 1996)

4. SECTION "L"

ADD THE FOLLOWING:

Notice of Progress Payment (FAR 52.232-13) (Apr 1984)

5. SECTION "M"

REPLACE IN ITS ENTIRETY WITH:

BASIS FOR AWARD (NAVSEA) (SEP 1990)

All units of all items (either Lot I or Lot II) will be awarded to one offeror. Offers, therefore, must be on the basis of furnishing all units of all items.

**WAIVER OF FIRST ARTICLE REQUIREMENTS (CONTRACTOR TESTING)
(NAVSEA) (JUL 2000)**

(a) If supplies identical or substantially identical to those called for in the Schedule have been previously furnished by the offeror and have been accepted by the Government, the first article requirements may be waived by the Government. The Offeror shall identify below the contract(s) under which supplies identical or substantially identical to those called for have been previously accepted by the Government:

Contract(s) _____

(b) All offerors should submit an offer on the basis that first article requirements will not be waived (hereinafter referred to as OFFER A). Offerors who believe, on the basis of paragraph (a) above, that they may qualify for waiver of first article may also submit an offer on the basis that the first article requirements will be waived (hereinafter referred to as OFFER B). This solicitation contains separate delivery schedules for OFFER A and OFFER B.

(c) Subject to considerations of responsiveness of offers and responsibility of Offerors and subject to other evaluation factors provided for in this solicitation, the price used in determining best value to the Government will be either the price submitted for OFFER A or the price submitted for OFFER B if the Government determines an offeror is eligible for first article waiver. The decision whether to grant a waiver is entirely at the discretion of the Government.

(d) Any award resulting from this solicitation will state whether the first article requirements are or are not waived. In the event of waiver, all clauses and references relating to the first article will not apply.

(End of Provision)

SINGLE AWARD FOR ALL ITEMS

Due to the interrelationship of supplies and/or services to be provided hereunder, the Government reserves the right to make a single award to the offeror whose offer is considered in the best interest of the Government, price and other factors considered. Therefore, offerors proposing less than the entire effort specified herein may be determined to be unacceptable.

PAST PERFORMANCE

During the source selection process, the Government will assess the offeror's past performance in the evaluation for contract award. Accordingly, each offeror is required to submit a list of up to five of its most recent contracts within the past three years, either completed or on-going, for the same/similar products or services. It is preferred that these contracts be with U.S. government customers, but contracts with other commercial concerns are also acceptable. Offerors are authorized to provide information relative to any problems encountered on the identified contracts and any corrective actions taken by the offeror. The Source Selection Authority (SSA)/Contracting Officer will evaluate the offeror's past performance based upon the information furnished by the offeror and/or other information obtained by the Contracting Officer. The Contracting Officer is not responsible for locating or securing any information not furnished with the offer. The SSA/Contracting Officer may, however, utilize all available information, including information not provided by the offeror, in the past performance evaluation. The Government reserves the right to review less than all information submitted, and to only analyze sufficient information to make a reasonable determination of each offeror's past performance rating.

If insufficient information regarding the offeror's corporate history is available, the offeror is encouraged to submit for evaluation evidence of relevant past performance on the part of the offeror's key/principal employees, as either a prime- or sub-contractor.

Past performance is assessed by the SSA/Contracting Officer and is assigned a narrative rating in the evaluation. Each offeror will be given an adjectival rating on past performance: highly favorable, favorable, neither favorable nor unfavorable, unfavorable, highly unfavorable, or no same or similar history. Offerors who do not have same or similar past performance information reasonably available to the Contracting Officer will not be rated either favorable or unfavorable. The Government reserves the right to award to other than the lowest priced offer as set forth elsewhere in the solicitation. In addition, the Government may accept other than the lowest priced offer if doing so would result in greater value to the Government in terms of technical performance, quality, reliability, life cycle cost, or lower overall program risk. As a part of the past performance evaluation, the Government will assess the offeror's previous compliance with the requirements of FAR 52.219-8 and 52.219-9 as applicable.

(1) THE FOLLOWING FACTORS WILL BE USED TO EVALUATE THE OFFERS:

A. Offerors will be required to submit past performance and price proposals.

B. Past Performance is slightly more important than Price. The Past Performance Subfactors are of equal importance. Price will not be rated, but will be considered in determining the "best value" to the Government. The price becomes more important as the degree of equality between offerors' proposals increase, or when the price is so significantly high as to diminish the value of the past performance superiority to the Government. Evaluation factors are listed below:

FACTORS

PAST PERFORMANCE

Subfactors: Quality
 Customer Satisfaction
 Business Practices

PRICE

The Government will award based on a best value, as to which offeror shall be awarded a contract. The government reserves the right to award on initial offers.

The evaluated contract price will be for LOT I and LOT II. Only one Lot will be awarded based on the LOT pricing evaluation. **Lot I evaluation** includes the sum of the proposed unit price for CLIN 0001, the weighted average of the proposed CLIN 0002 pricing as calculated in the information table below, and the amount estimated for CLIN 0003. **Lot II evaluation** includes the sum of the proposed CLIN 0001 pricing as calculated in the information table below and the amount estimated for CLIN 0002. The following is provided for information purposes only.

LOT I Evaluation:

For CLINs 0001 through 0003: A + B + C = Evaluated Amount

A = The proposed unit price of CLIN 0001

B = The weighted average of CLIN 0002 pricing calculated as:

$$\frac{\text{Yr 1 weighted amount}^* + \text{Yr 2 weighted amount}^{**} + \text{Yr 3 weighted amount}^{***}}{3}$$

RANGE	Proposed Unit Price	Weight	Weighted Amount
Order Qty	Year One		
1-49 EA	\$	16.667%	(\$)* 16.667% = ?
50-150 EA	\$	16.667%	(\$)* 16.667% = ?
151-300 EA	\$	16.666%	(\$)* 16.667% = ?
301-400 EA	\$	24%	(\$)* 24% = ?
401-600 EA	\$	24%	(\$)* 24% = ?
600-700 EA	\$	2%	(\$)* 2% = ?
YEAR ONE EVALUATED PRICE:			sum of Yr one weighted amount*

RANGE	Proposed Unit Price	Weight	Weighted Amount
Order Qty	Year Two		
1-49 EA	\$	29.666%	(\$)* 29.666% = ?
50-150 EA	\$	29.666%	(\$)* 29.666% = ?
151-300 EA	\$	29.666%	(\$)* 29.666% = ?
301-400 EA	\$	9.002%	(\$)* 9.002% = ?
401-600 EA	\$	1%	(\$)* 1% = ?
600-700 EA	\$	1%	(\$)* 1% = ?
YEAR TWO EVALUATED PRICE:			sum of Yr Two weighted amount**

RANGE	Proposed Unit Price	Weight	Weighted Amount
Order Qty	Year Three		
1-49 EA	\$	30%	(\$)* 30% = ?
50-150 EA	\$	30%	(\$)* 30% = ?
151-300 EA	\$	30%	(\$)* 30% = ?
301-400 EA	\$	10%	(\$)* 10% = ?
401-600 EA	\$	0%	
600-700 EA	\$	0%	
YEAR THREE EVALUATED PRICE:			sum of Yr Three weighted amount***

C = THE ESTIMATED AMOUNT OF \$950,000 FOR CLIN 0003

LOT II Evaluation:

For CLINs 0001 through 0002: A + B = Evaluated Amount

A = The weighted average of CLIN 0001 pricing calculated as:

$$\frac{\text{Yr 1 weighted amount}^* + \text{Yr 2 weighted amount}^{**} + \text{Yr 3 weighted amount}^{***}}{3}$$

RANGE	Proposed Unit Price		
Order Qty	Year One	Weight	Weighted Amount
1-49 EA	\$	16.667%	(\$) * 16.667% = ?
50-150 EA	\$	16.667%	(\$) * 16.667% = ?
151-300 EA	\$	16.666%	(\$) * 16.667% = ?
301-400 EA	\$	24%	(\$) * 24% = ?
401-600 EA	\$	24%	(\$) * 24% = ?
600-700 EA	\$	2%	(\$) * 2% = ?
YEAR ONE EVALUATED PRICE:			sum of Yr one weighted amount*

RANGE	Proposed Unit Price		
Order Qty	Year Two	Weight	Weighted Amount
1-49 EA	\$	29.666%	(\$) * 29.666% = ?
50-150 EA	\$	29.666%	(\$) * 29.666% = ?
151-300 EA	\$	29.666%	(\$) * 29.666% = ?
301-400 EA	\$	9.002%	(\$) * 9.002% = ?
401-600 EA	\$	1%	(\$) * 1% = ?
600-700 EA	\$	1%	(\$) * 1% = ?
YEAR TWO EVALUATED PRICE:			sum of Yr Two weighted amount**

RANGE	Proposed Unit Price		
Order Qty	Year Three	Weight	Weighted Amount
1-49 EA	\$	30%	(\$) * 30% = ?
50-150 EA	\$	30%	(\$) * 30% = ?
151-300 EA	\$	30%	(\$) * 30% = ?
301-400 EA	\$	10%	(\$) * 10% = ?
401-600 EA	\$	0%	
600-700 EA	\$	0%	
YEAR THREE EVALUATED PRICE:			sum of Yr Three weighted amount***

B = THE ESTIMATED AMOUNT OF \$950,000 FOR CLIN 0002)

The Government reserves the right to waive First Article testing and approval if supplies similar or identical to those called for have been previously delivered by the offeror and accepted by the Government. Therefore, alternate offers are permitted. Lot I includes First Articles while Lot II does not. Award will be made by lot, and only one lot will be awarded.

Note: Award will be made to the offeror whose offer is most advantageous to the Government.